

AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

THIS AGREEMENT made this 1 day of January, 2018;

BETWEEN: TOWNSHIP OF BARNEGAT, a body politic of the County of Ocean, State of New Jersey, having its principal office at 900 West Bay Avenue, Barnegat, New Jersey 08005;

AND: THE LAW OFFICES OF SUSAN MCCABE, with a business address of 24 Carriage Way, Barnegat, New Jersey 08005, hereinafter referred to as "Attorney;"

WHEREAS, pursuant to law, the parties hereto wish to enter into an agreement for the aforesaid professional legal services;

NOW, THEREFORE, the parties hereunder do agree as follows:

1. Attorney is hereby retained as (a) Labor Counsel & Human Resources Director and (b) Conflict Township Attorney for the Township of Barnegat for a term commencing on January 1, 2018 and terminating on December 31, 2018, or until a successor is appointed;

2. Attorney, in its capacity as Labor Counsel, shall: advise, assist, and/or draft the terms of various collective bargaining agreements; advise, assist and/or conduct any grievances and the records generated thereof; prepare for and conduct any arbitrations resulting from any grievances; and interpret any and all related policies and programs related to represented employees; and advise, assist, and/or draft policies related to employee benefits;

3. Attorney, in its capacity as Human Resources Director, shall: review, approve, evaluate and compile personnel action material; interpret applicable laws, policies, rules, and regulations; plan and design organizational structures; provide technical advice to peers, management, and others; confer with administrators at policy-making levels; and mediate problems that cannot be solved through other channels;

4. Attorney, in its capacity as Conflict Township Attorney, shall: serve as legal counsel for any and all legal issues, matters, litigations, negotiations, and/or items requiring legal research for any and all legal issues, matters, litigations, negotiations, and/or items requiring legal research that the designated Township Attorney cannot address due to legal conflict as recognized in the New Jersey Rules of Professional Conduct; and serve as legal consultant to Township Attorney for any and all legal issues, matters, litigations, negotiations, and/or items requiring legal research as requested;

5. Attorney shall provide all legal services required for the retention as Labor Counsel/Human Resources Director and Conflict Township Attorney for an annual flat fee of \$90,000.00. Payments shall be made by means of twelve (12) equal monthly payments;

6. Attorney shall perform all normal legal services as determined and authorized by the Barnegat Township Committee and/or the Township Administrator of the Township of Barnegat;

7. Should any other extraordinary legal services as determined and authorized by the Barnegat Township Committee be required of Attorney outside of the scope of the services of Labor Counsel/Human Resources Director and/or Conflict Township Attorney, which could not be anticipated at the time of this agreement, such extraordinary legal services shall be charged at a rate that shall be determined and approved by the Barnegat Township Committee;

8. Attorney shall comply with all requirements of P.L. 1975 C. 127 (N.J.A.C. 17-27) regarding Affirmative Action and Executive Order 11246 regarding Equal Employment Opportunity, as amended.

**THE LAW OFFICES OF
SUSAN MCCABE**


SUSAN MCCABE, Esquire

TOWNSHIP OF BARNEGAT


FRANK CAPUTO, Mayor